

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

**HENRY LASSIC, SHAUN DORCH,
CLARENCE CARMICHAEL,
ANTONIO KING, and
ANTONIO ROBERTS**

Plaintiffs,

v.

**ZIMMER HESTER FURNITURE *
LIQUIDATION,**

Defendant.

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Civil Case 2:06-cv-69-WHA

REPORT OF PARTIES' PLANNING MEETING

1. **Appearances.** Pursuant to Fed. R. Civ. P. 26(f), a teleconference was held on the 8th day of March, 2006, between the following participants:

Jay Lewis
Law Offices of Jay Lewis, LLC
Attorney for Plaintiff

Henry C. Barnett, Jr.
Capell & Howard, P.C.
Attorney for Defendants
2. **Pre-Discovery Disclosures.** The parties will exchange by April 14, 2006, the information required by Fed. R. Civ. P. 26(a)(1).
3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:
 - a. Discovery will be needed on the following subjects:
 1. All information pertaining to Plaintiffs' claims and damages.
 2. All information pertaining to Defendant's defenses.

3. Facts known to other persons believed to have discoverable information relevant to the claims and defenses of the parties.
 4. Facts relating to affirmative defenses.
 5. The Plaintiffs' background and litigation history.
- b. All discovery commenced in time to be completed by December 22, 2006.
 - c. There will be a maximum of 30 interrogatories by each party to any other party. The responses will be due 30 days after service.
 - d. There will be a maximum of 30 requests for production of documents by each party to any other party. The responses will be due 30 days after service.
 - e. There will be a maximum of 30 requests for admission by each party to any other party. Responses will be due 30 days after service.
 - f. The parties agree that no more than 10 depositions may be taken by a party without leave of the court or agreement of the parties. Each deposition is limited to a maximum of 7 hours unless extended by agreement of the parties.
 - g. Reports from retained experts under Rule 26(a)(2) will be due from Plaintiff by August 1, 2006, and from Defendant by September 1, 2006.
 - h. Supplementations under Rule 26(e) are due within fourteen (14) days of when a party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional corrective information has not otherwise been made known to other parties in the discovery process or in writing.

4. **Other items.**

- a. **Scheduling Conference**
The parties **do not** request a conference with the court before entry of the scheduling order.
- b. **Pretrial Conference**
The parties request a pretrial conference in February, 2007.
- c. **Additional Parties, Claims and Defenses**
Plaintiffs should be allowed until July 3, 2006 to join additional parties and to amend the pleadings.

Defendant should be allowed until July 14, 2006 to join additional parties and to amend the pleadings.

d. **Dispositive Motions**

All potentially dispositive motions should be filed by November 24, 2006.

e. **Settlement**

Parties will evaluate settlement possibilities on a continuing basis.

A face-to-face settlement conference should take place by October 2, 2006

Plaintiffs are to file a Notice Concerning Settlement Conference and Mediation by October 16, 2006.

f. **Trial Evidence**

The final list of witnesses and trial evidence under Rule 26(a)(3) should be due three weeks before trial. The parties should have 14 days after service to list objections under Rule 26(a)(3).

Identification of responsive parts to depositions should be due by March 15, 2007.

Voir dire questions, motions in limine fully briefed, and any proposed jury instructions should be due by March 8, 2007.

g. **Trial Date**

This case should be ready for trial by the trial term beginning March 26, 2007, and at this time is expected to take approximately 3 days of trial time.

Date: March 13, 2006

/s/ JAY LEWIS
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